

COMMITTEE REPORT

MR. SPEAKER:

- 1 Page 9, line 15, delete “me”.
2 Page 10, line 1, delete “becky” and insert “judy”.
3 SECTION 17. IC 4-22-2-13 IS AMENDED TO READ AS
4 FOLLOWS: Sec. 13. (a) Subject to subsections (b), (c), and (d), this
5 chapter applies to the addition, amendment, or repeal of a rule in every
6 rulemaking action.
7 (b) This chapter does not apply to the following agencies:
8 (1) Any military officer or board.
9 (2) Any state educational institution (as defined in
10 IC 20-12-0.5-1).
11 (c) This chapter does not apply to a rulemaking action that
12 results in any of the following rules:
13 (1) A resolution or directive of any agency that relates
14 solely to internal policy, internal agency organization,
15 or internal procedure and does not have the effect of
16 law.
17 (2) A restriction or traffic control determination of a
18 purely local nature that:
19 (A) is ordered by the commissioner of the
20 Indiana department of transportation;
21 (B) is adopted under IC 9-20-1-3(d), IC 9-21-
22 4-7, or IC 9-20-7; and
23 (C) applies only to one (1) or more
24 particularly described intersections, highway
25 portions, bridge causeways, or viaduct areas.
26 (3) A rule adopted by the secretary of state under
27 IC 26-1-9-408.
28 (4) An executive order or proclamation issued by the
29 governor.
30 (d) Except as specifically set forth in IC 13-14-9, sections 24,
31 26, 27, and 29 of this chapter do not apply to rulemaking actions under
32 IC 13-14-9.
33 SECTION 29. IC 4-22-2-23 IS AMENDED TO READ AS
34 FOLLOWS: Sec. 23. (a) This section does not apply to rules adopted
35 under IC 4-22-2-37.1.
36 (b) Before or after an agency notifies the public of its intention
37 to adopt a rule under section 24 of this chapter, the agency shall notify
38 the public of its intention to adopt a rule by publishing a notice of

intent to adopt a rule in the Indiana Register at least thirty (30) days before the preliminary adoption of the rule. The publication notice must include an overview of the intent and scope of the proposed rule and the statutory authority for the rule. The requirement to publish a notice of intent to adopt a rule does not apply to rulemaking under IC 13-14-9. The agency shall solicit comments from the public on the need for a rule, the drafting of a rule, or any other subject related to a rulemaking action. The procedures that the agency may use include the holding of conferences and the inviting of written suggestions, facts, arguments, or views. The agency shall prepare a written response that contains a summary of the comments received during any part of the rulemaking process. The written response is a public document. The agency shall make the written response available to interested parties upon request.

Page 11, after line 42, begin a new paragraph and insert:

"SECTION 14. IC 20-10.1-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A school year is the period of time beginning after June 30 of each year and ending before July 1 of the following year, except when a different period is specified for a particular purpose.

(b) A student instructional day in grades 1 through 6 consists of a minimum of five (5) hours of instructional time. A student instructional day in grades 7 through 12 consists of a minimum of six (6) hours of instructional time. For purposes of this section, instructional time is time in which students are participating in an approved course, curriculum, or educationally related activity under the direction of a teacher, including a reasonable amount of passing time between classes. However, instructional time does not include lunch or recess.

(c) ~~For the 1987-88 school year, each school corporation shall conduct at least one hundred seventy-five (175) student instructional days. For the 1988-89 school year and~~ Each school year, ~~after that,~~ each school corporation shall **do the following:**

(1) conduct at least one hundred eighty (180) student instructional days; **or**

(2) **for a school corporation that is eligible for a waiver under section 1.5 of this chapter, conduct the equivalent in hours of one hundred eighty (180) student instructional days as determined under section 1.5 of this chapter.**

No later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year.

(d) If a school corporation fails to conduct the minimum number of student instructional days during a school year as required under subsection (c), the department shall reduce the August tuition support distribution to that school corporation by ~~an amount determined as follows:~~

~~(1) For the 1987-88 school year, the amount determined under STEP THREE of the following~~

formula:

STEP ONE: Divide the amount of the total tuition support allocated to the school corporation for the 1987-88 school year by one hundred seventy-five (175):

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred seventy-five (175):

STEP THREE: Multiply the amount determined under STEP ONE by the amount determined under STEP TWO:

(2) For the 1988-89 school year and each school year after that, the amount determined under STEP NINE of the following formula:

STEP ONE: Determine the remainder of:

(A) the amount of the total tuition support allocated to the school corporation for the particular school year; minus

(B) that part of the total tuition support allocated to the school corporation for that school year with respect to student instructional days one hundred seventy-six (176) through one hundred eighty (180).

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred eighty (180).

STEP THREE: Determine the lesser of five (5) or the remainder determined under STEP TWO.

STEP FOUR: Divide the amount subtracted under STEP ONE(B) by five (5).

STEP FIVE: Multiply the quotient determined under STEP FOUR by the number determined under STEP THREE.

STEP SIX: Subtract the number determined under STEP THREE from the remainder determined under STEP TWO.

STEP SEVEN: Divide the remainder determined under STEP ONE by one hundred seventy-five (175).

STEP EIGHT: Multiply the quotient determined under STEP SEVEN by the remainder determined under STEP SIX.

STEP NINE: Add the product determined under STEP FIVE to the product determined under STEP EIGHT.

1 (e) The department may grant a waiver of the penalty imposed
2 under subsection (d) for a particular number of cancelled student
3 instructional days if:

 (Reference is to HB 9999 as introduced.)

Representative Gregg